



PUBLIC NOTICE

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FORMS AVAILABLE FOR TV BROADCASTERS TO UPDATE ANALOG TERMINATION INFORMATION AND TO REVOKE TERMINATION NOTICE

In the Orders implementing the DTV Delay Act, the Commission required all full-power television stations that had not terminated their analog service on or before February 17, 2009 to decide on a firm date by which they intend to terminate their regular analog television service and to notify the Commission of that date no later than March 17, 2009.¹ The Commission decided that a station may only terminate analog service on the date it elected in its analog service termination form, but allowed stations to revoke their early termination notification and continue analog broadcasting through June 12, 2009.² The Commission also required stations to notify us of the time of day on which they plan to terminate analog service and to provide a consumer referral telephone number,³ and permitted stations to update this information as necessary.⁴ This Public Notice explains the procedures for notifying the Commission of these updates.

A. Revocation of Early Analog Termination Notification Form

Stations that elected an early transition date may revoke this election and, instead, delay their transition to the June 12, 2009 transition deadline.⁵ This revocation form may be submitted at any time up to five days prior to the station's elected transition date, although a shorter notice period is permissible in the case of equipment failure, natural disaster, or other unforeseeable emergency.⁶ The station must certify that continuation of full analog service will not result in interference to the signal of any other station that has been approved to commence early post-transition operations. Stations revoking their analog termination notification must also notify viewers on air about this change of plans. A station must certify that it will provide notice to viewers of this revocation at least four times daily, with at least one

¹ See *Implementation of the DTV Delay Act*, MB Docket No. 09-17, Second Report and Order and Notice of Proposed Rulemaking, FCC 09-11, ¶ 26 (rel. Feb. 20, 2009) ("*Omnibus Order*"); and Third Report and Order and Order on Reconsideration, FCC 09-19, ¶ 13 (rel. March 13, 2009) ("*Third R&O*"). The Commission obtained OMB approval on March 13 for the underlying analog termination form and is obtaining OMB approval for the non-substantive changes to permit updates to, and revocation of, that form. See OMB Control Nos. 3060-0386. For additional information concerning this information collection, contact the FCC's Office of Managing Director (OMD), Performance Evaluation & Records Management (PERM): Cathy Williams, Cathy.Williams@fcc.gov, at 202-418-2918.

² See *id.*

³ See *Third R&O*, *supra* note 1, at ¶¶ 32, 52-54.

⁴ *Id.* at ¶ 52, n. 132.

⁵ Stations that revoke an early transition date must transition on June 12, and cannot elect a different early transition date. *Id.* at ¶ 15.

⁶ *Id.* at ¶¶ 13-15.

notice in primetime, over the five days prior to, and including, the day on which it originally elected to terminate analog service.⁷

B. Analog Termination Information Update Form

Stations may update their analog termination information, but they may not change any information that is material to their certification (*e.g.*, their termination date). Stations may update only (1) the time of day when they will terminate analog service and (2) their consumer referral telephone number.⁸ Stations must promptly file updates to report changes to this information and must also promptly update their consumer education messaging to reflect any such changes.⁹ We remind stations that they are responsible for the continuing accuracy of the information furnished in their forms and provided to viewers.¹⁰

C. Electronic Filing Required

These forms are now available for filing and must be filed electronically using the Commission's Consolidated Database System ("CDBS") Electronic Filing System via the Internet from the Media Bureau's Web site at: <http://www.fcc.gov/mb/cdbs.html> or http://fjallfoss.fcc.gov/prod/cdbs/forms/prod/cdbs_ef.htm.

1. Filing Instructions for Analog Termination Update

1. Login to your CDBS Electronic Filing account.
2. Select the last option from Main Menu "Additional non-form Filings" to go to the Informal Menu.
3. Select the button to the left of the FILED Analog Service Termination Notification form that you want to update.
4. Press the "Copy Form" button at the bottom of the page.
5. When the Pre-form is displayed, enter all of the required information and choose as the "purpose" of the filing: "Analog Termination Information Update." Press the "Enter" button on the Pre-form to go to the form.
6. Answer the form questions, fill in the data, validate each section, and then file the form using the regular CDBS process.

⁷ *Id.* at ¶ 15.

⁸ The Commission required stations to provide a telephone number that will serve to receive local consumer calls and consumer referrals from the Commission's national Call Center. The telephone number provided must be one that is staffed during business hours with personnel who are prepared to answer complex questions from viewers, particularly regarding necessary actions to take to get reception in specific locations, and other engineering issues. This telephone number may be operated and staffed by the station itself, by a group of stations in a market, or by a third party entity such as a state broadcasters' association. The telephone numbers must be publicized by each station as part of its consumer education obligations. *Id.* at ¶¶ 52-54.

⁹ See 47 C.F.R. § 73.674. In order to provide consumers with sufficient advance notice of a change in plans, we ask that stations file time of day updates not later than 30 days prior to their planned termination date.

¹⁰ See *id.* and 47 C.F.R. § 1.65(a).

2. Filing instructions for Revocation Form

1. Login to your CDBS Electronic Filing account.
2. Select the last option from Main Menu “Additional non-form Filings” to go to the Informal Menu.
3. Select “Silent STA / Notification of Suspension / Resumption of Operations / Extension of STA Request / DTV Transition Notification” to start a new form.
4. When the Pre-form is displayed, enter all of the required information choose as the “purpose” of the filing: “Revocation of Early Analog Termination Notification.” Press the “Enter” button on the Pre-form to go to the form.
5. Answer the form questions, fill in the data, validate each section, and then file the form using the regular CDBS process.

D. Additional Information

For more information, contact Hossein Hashemzadeh, Hossein.Hashemzadeh@fcc.gov, of the Media Bureau, Video Division, at (202) 418-1658; or Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, at (202) 418-2120.